

# **Exhibit 10**

UNITED STATES DISTRICT COURT  
THE DISTRICT OF NEW HAMPSHIRE

KRISTINA RAPUANO, VASSIKI  
CHAUHAN, SASHA BRIETZKE,  
ANNEMARIE BROWN, ANDREA  
COURTNEY, MARISSA EVANS, JANE  
DOE, JANE DOE 2, and JANE DOE 3,

*Plaintiffs, on behalf of themselves and  
all others similarly situated,*

v.

TRUSTEES OF DARTMOUTH COLLEGE,  
*Defendant.*

Hon. Landya B. McCafferty, U.S.D.J.

CASE NO. 1:18-cv-01070 (LM)

**DECLARATION OF JANE DOE**

I, Jane Doe, hereby declare as follows:

1. I make this Declaration in support of Plaintiffs' Motion for Final Approval of the Class Settlement and Plaintiffs' Motion for Final Approval of the Class Action Settlement and Plaintiffs' Motion for Attorneys' Fees, Costs, and Service Awards.

2. I make this Declaration based upon personal knowledge. If called and sworn as a witness, I would testify competently as to the facts in this Declaration.

3. I am a Plaintiff and a Class Representative in this lawsuit.

**The Steps I Have Taken to Protect the Interests of the Class and the Degree to Which the Class Has Benefitted from those Actions**

4. From the beginning when I joined the suit, I understood that as a Class Representative, I had a duty to ensure that the interests of all class members were protected and that I needed to make decisions with those interests in mind. I understood that this meant that I could not put my own interest before the interests of the Class, if ever there were a conflict between our interests. I also understood that I would be required to commit to providing meaningful assistance to our lawyers as the prosecution of this case moved forward.

5. I believe I have fulfilled, and I continue to fulfill, my duties to the Class. I have been actively involved in the litigation of this case, as described more fully below, and have been in close contact with the attorneys representing the Class in order to monitor and contribute to this case since I joined. Since I joined the case in June 2018, I took my responsibilities as a named plaintiff as seriously as I took my own research.

6. I believe that this settlement brings substantial benefits to the class. The monetary component of the settlement enables class members to receive substantial compensation in a fair and equitable way without having to testify publicly, either in court or at a deposition, about their personal experiences. Before settling this case in mediation, we (the named plaintiffs) exhaustively deliberated about the how we would achieve the best outcome for the most victims. We processed what it would mean to not settle and proceed forward in litigation with no assurance of receiving any financial or programmatic relief. Every conversation, request and negotiation during mediating was conducted through the lens of achieving the most benefit and relief for the greatest number of victims. We spent an enormous amount of time negotiating for significant and consequential programmatic class relief and an expansive class definition. I was able to endure the continued psychological distress associated with being a named Plaintiff because of the closure it brought to victims and the knowledge that what the three former professors did to them is not their fault. I hope that we have fundamentally shifted the culture of sexual harassment and retaliation in higher education.

**The Amount of Time and Effort I Have Expended in this Action**

7. Since I first became involved in this litigation in July 2018, I estimate that I have spent nearly three hundred (300) hours performing actions that benefitted the Class at large, including participating in mediation and helping to craft a plan for Class-wide relief that I am

confident will effect meaningful change at Dartmouth and provide meaningful redress for members of the Class. My role as a named plaintiff was effectively a full-time job, on top of being a PhD student. When I wasn't actively working on projects pertinent to the lawsuit, my mind was always thinking about and processing it in the background. It was the backdrop to my life. A summary of my activities is as follows:

- a) In the months leading up to the filing of the Complaint, I dedicated many hours to assisting with the investigation of the class action. I carried out multiple full initial investigative interviews with Class Counsel and shared my knowledge of Dartmouth's culture and policies and practices. After my initial interview, my attorneys and I had many calls and exchanged many emails regarding my claims and the class claims.
- b) I helped my attorneys prepare the Complaint. I had numerous phone calls with my attorneys, reviewed drafts of the Complaint, and made edits to it before it was filed. I then reviewed the final work product after the Complaint was filed.
- c) After the filing of the Complaint, I conferred with my attorneys to help them prepare my EEOC charge. I reviewed and edited this document before it was filed.
- d) I helped my attorneys prepare the First Amended Complaint and reviewed the final work product after it was filed.
- e) I spent a significant amount of time gathering and reviewing documents and other potential information about the case and my claims. I looked for documents in hard copy and in my emails, text messages, and other electronic files. I also turned over access to my personal email accounts and my cell phone—which I found extremely

invasive—in the name of service to the Class. I also reviewed documents with my attorneys.

- f) I conferred with my attorneys regarding our initial disclosures, including making lists of witnesses and the locations of various documents. I also had conversations with my attorneys about this process.
- g) I also actively participated in three full days of mediation and settlement negotiations by phone. Unfortunately, I could not attend in person because I was scheduled to fly from North Carolina to New York City for an academic conference and my flight was non-refundable. On top of this, I had an emergency root canal the day prior to start of mediation. However, I participated to the fullest degree with every single official and unofficial mediation event. I was on video and voice calls for all three days of negotiations and actively participated in the process. I estimate that I spent close to one hundred (100) hours preparing for and participating in the settlement negotiations:

- (1) To prepare for the mediation, I drafted and edited a victim impact statement; participated in extensive phone calls and conference calls with my attorneys leading up to the mediation; reviewed the Mediation Statement; and worked on a programmatic relief proposal with my attorneys and my expert. Drafting my victim impact statement took all my strength and focus. Everything inside me was screaming to shut down and stop ruminating on what happened to me. It was particularly painful to recount the events and discuss the effect on my mental and physical health because I still, on some

level, blame myself for allowing what happened at Dartmouth. It took months to write my statement because I couldn't endure more than an hour or so of writing at a time without having a panic attack.

- (2) The mediation and settlement negotiations took place on July 24-26, 2019 (three full days). I worked almost nonstop for these three days. The actual mediation sessions and negotiations totaled about thirty (30) hours (10 ½ hours on the first day, 9 ½ hours on the second day, and 10 hours on the third day).
- (3) During the mediation, I also spent many hours meeting with my attorneys by phone. We met the day before the mediation for several hours. We also met early before each day of negotiations. After each day of mediation concluded, I spent several hours meeting with my attorneys and/or my co-Plaintiffs, sometimes late into the night. I also spoke with our expert in preparation for the next day of negotiations. I attended all of these meetings by phone.
- (4) The programmatic relief portion of the settlement was extremely important to me. Before the mediation, I spent many hours discussing programmatic relief with my attorneys, working with an expert, and researching in order to come up with a proposal that was meaningful and beneficial to the Class.

- h) After the mediation and negotiation sessions on July 24-26, 2019, settlement negotiations continued for several weeks. I actively participated in these ongoing

discussions with my attorneys and spent a significant amount of time working to finalize the settlement.

- i) I then reviewed the Settlement Agreement and related documents.
- j) I participated in regular conversations with my attorneys throughout the duration of this case, with calls often lasting over an hour and sometimes as often as several times a day. There were also substantial additional communications by way of frequent and regular email correspondence.

### **Duties to the Class Going Forward**

8. If the settlement is approved, all Plaintiffs will have an ongoing duty to monitor the programmatic relief with Class Counsel for several years. The other Plaintiffs and I will work with Dartmouth in proposing nominees for the External Advisory Committee. We will also meet with the External Advisory Committee to recommend strategies, resources, and/or sources of expertise, and to share any information in any format we believe might be relevant to the C3I initiative. We will also meet with the Provost to ensure continuing dialogue and feedback on the implementation of these programmatic measures. I anticipate spending many hours on these ongoing duties in addition to numerous hours I have already dedicated to these tasks.

### **Negative Effects, Risks, and Stresses of Participating in This Litigation**

9. Though I am proud of the work that we have done, participating as a Plaintiff in this action has come with many risks, burdens, and negative effects.

10. The decision to come forward as a Plaintiff in a publicly filed case was very difficult. Deciding to become a named plaintiff and actively participating in the lawsuit was one of the scariest things I have ever done. I was terrified about the field, and the larger world, judging me. I thought they would blame me for what happened to me at Dartmouth and think I deserved what happened to me. I was scared of being defined by what happened to me. However, I

ultimately chose to become a Plaintiff in this lawsuit to stand up for what I believe in and represent other women who were not in a position to come forward.

11. Given the close-knit nature of my field, I took substantial risks in my own career by stepping forward in this lawsuit. Social cognitive affective neuroscience is an extremely small community. Every single person in the field knew about this lawsuit and was talking about it constantly. Even though I joined this lawsuit using a pseudonym, I was terrified that people in the small field would be able to identify me by looking at my allegations in the Complaint. By being a named Plaintiff, I risked the entire field gossiping about me and my allegations. This is a sensitive subject and each person had their own strong opinions. Those opinions affect how people treat you, whether they realize it or not. I was terrified of being ostracized, labeled, and judged by being involved in the lawsuit. In this tiny field, your brand is everything. As a junior member of this community, I risked being branded before even receiving my PhD, fundamentally shifting the trajectory of my entire career.

12. After Dartmouth expelled me, I applied to another university. When I arrived at the new university, senior faculty—people who could make or break my career—seemed to immediately know who I was and that I was involved in the lawsuit. Some stared at me in hallways and some came right up and asked about my involvement in the case. They did not look at me as a researcher, but rather a Plaintiff in a lawsuit for them to analyze. I attended our home conference (Social and Affective Neuroscience Society) and people who normally were overjoyed to see me avoided eye contact, while others pointed and whispered. This is a conference where people conduct their main networking and professional development, but I felt like I had a target on my back and could barely speak to anyone.



13. I have continued to conduct research with two professors from Dartmouth. Both professors knew that I was a Plaintiff in this lawsuit. These meetings were intensely strained and nothing like any other research meetings I consistently attend. Both professors have explicitly told me that it was “hard working with me” on multiple occasions. I independently collected and analyzed datasets and spearheaded the writing and submission of research manuscripts. But our meetings were so strained that the projects and research I have been doing with them are severely drawn out and delayed. Getting my research out is paramount to succeeding in this field, and these delays make me a less competitive member of our field. It is impossible to succeed in this field without publications. There is a massive gap in my resume where I have no publications because of this, which I have to regularly explain to people.

14. Being a Plaintiff took an exhaustive toll on my ability to successfully complete my work. Beyond the literal hours taken away from my work, being a Plaintiff meant I could not put Dartmouth behind me and move forward. Rather, Dartmouth became an omnipresent layer in my life for two years. I was always working on something for the lawsuit, or researching something for the lawsuit, or mentally processing what had happened in order to be the best advocate for the larger class.

15. This case was widely covered by major media outlets. The highly publicized nature of this lawsuit made participating as a Plaintiff extremely stressful, taxing, and difficult. In a small field like social cognitive affective neuroscience, social media plays a prominent role. People get jobs from social media. Your social media persona is key to success in this field. When this case was publicized, the entire field was talking about it. The entire academic ecosystem on Twitter was dominated by the case. This made it impossible for me to have a normal work life. Every person was posting their opinions about the case and the Plaintiffs’ role in it. Some of these posts

called us murderers and said we were responsible for a faculty member's suicide. Some said we got what was coming for us. It was nearly impossible to pretend life was normal and be productive at work with this backdrop.

16. Being a named plaintiff meant I had to consistently and vividly relive my experiences. I developed an incapacitating eating disorder and exercise addiction. I can only calm myself by exercising and ensuring I know my exercise schedule the next several days. I obsess about small (or non-existent) imperfections and compulsively focus on that muscle group. My significant other is scared I am developing a muscle disorder called Rhabdomyolysis. Despite being cognitively aware of this possibility, the only way I can alleviate my pain and anxiety is through exercise. My symptoms have become so bad that I fear being away from home because I can't control my exercise routine. My entire life is structured around when I can exercise and restricting my diet. Exercise and diet are a constant monologue in my head. Every thought comes second to a monologue about exercise and diet. These are completely foreign behaviors for me.

17. I have lost dear friends who I thought would be in my life forever due to my involvement in the case. My closest friend at Dartmouth did not believe me about what happened and chose to cut me out of her life. I am still recovering from the loss of this friendship. In addition to losing Dartmouth friends and suffering the detrimental impact on my career, I lost personal friends outside Dartmouth. A dear friend of several years who was also in the field (but at a different university) cut me out of his life and came out in support of the three former professors. My role as Plaintiff has also severely strained my relationship with my significant other. He describes me as disconnected and always somewhere else, like he is looking for me but can never find me. My mental health is so unstable that I don't recognize myself in my mirror.

18. In October 2019, I heard that some Dartmouth faculty members had told undergraduates that the Plaintiffs were liars, accusing us of fabricating our experiences in order to win a lawsuit. When a respected professor says something like that, it affects how people see you. Some of these undergraduates were my research assistants, who I had hoped to continue working with in the future. It would have been the easier choice to just keep my head down and walk away. I considered doing that numerous times. But each time, I was left with the nagging, tormenting feeling that there were other victims of the three former professors out there that needed to know they weren't alone.

19. Despite these concerns, I decided to join this lawsuit and serve as a Class Representative because it was my responsibility to make sure that history did not continue to repeat itself. My primary goal in serving as a Class Representative was to represent all of the women affected who could not come forward on their own and ensure that we helped the greatest number of victims possible. I am proud that we were able to achieve these goals in the end.

#### **Approval of the Settlement**

20. I was not promised any amount of money in connection with my support of this settlement or any prior settlement with Dartmouth. My approval of this settlement is based on my view that, in light of the record and the risks, it is in the best interests of the class. I authorized the proposed settlement of \$14 million and programmatic relief with Dartmouth, and I believe that the proposed settlement is fair, adequate, and reasonable.

21. I also believe that the proposed allocation plan is fair, reasonable, and adequate, and does not impermissibly favor some class members over others.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: May 25, 2020

/s/ Jane Doe  
Jane Doe